

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Meeting

July 27, 1977
7:00 P.M.

Porter Junior High School

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers
Cooke, Goodman, Himmelblau, Mullen, Trevino

Absent: None

CAPITAL IMPROVEMENT PROGRAM HEARING

Mayor McClellan opened the public hearing scheduled for 7:00 p.m. by stating that the hearing was the second of the FY 1977-78 CIP hearings. She indicated that the CIP budget totalled \$572 million for the next five-year period. The Mayor stated that there had been two Council work sessions on the CIP. City Manager Dan Davidson stated that a presentation would be made by Mr. Jorge Carrasco, Capital Budget Officer for the City, on projects in south Austin.

Mr. Carrasco stated that the first report dealt with two Parks and Recreation projects. The report included cost information on Webberville District Park and proposed restrooms for the Zilker Garden Center. Mr. Carrasco indicated that the Southern Region of Austin was defined as that area south of Oltorf Street and bounded on the other sides by the City limit line. Mr. Carrasco stated that the cost total for improvement projects in the south Austin area totalled to \$68.2 million. He then outlined the projects as follows:

Electrical Improvements	\$2.4 million
Water & Wastewater	46.5 million
Public Works	6.4 million
Emergency Medical Services	116,000
Fire Station	480,000
Public Health	419,000
Montopolis Neighborhood Center	367,000
Branch Library	563,000
Parks & Recreational Facilities	10.8 million

MS. MARILYN SIMPSON, Secretary-Treasurer of the Whispering Oaks Neighborhood Association, stated that the proposed extension of William Cannon Drive from Brodie Lane to U. S. 290, (CIP #76/26-12), would necessitate annexing a 500 foot corridor of land or all of the Oak Hill area. She stated that City Fire and Police protection is not available to the area. Ms. Simpson indicated that the extension would route truck traffic through residential neighborhoods while in route to Highway 290 or I.H. 35. She pointed out that the roadway would only benefit truckers and developers. Ms. Simpson urged the Council to delete the project from the CIP.

MRS. PAM BANNEROT told the Council that she was against the Barton Skyway/MoPac Extension because it would add noise and pollution to her neighborhood. She added also that the extension would make it very dangerous for children to commute to and from school. Mrs. Bannerot asked if another survey could be done of the situation. Councilmember Cooke recommended that both the proponents and opponents to the project be involved in doing the survey. Mayor McClellan did not feel that sound decisions could be reached by a popular survey.

MS. ANN ORZAK told the Council that she was opposed to the Barton Skyway bridge. She commended the Planning Commission for deleting the project from the CIP. She felt that the extension would channel high speed traffic through residential neighborhoods rather than along Loop 360.

MR. JOSEPH HORA spoke before the Council stressing the need for additional bus service in the southwest Austin area. Mr. Hora proposed a mini-bus service that residents could use to get to and from other connecting bus lines in the City. He stated that he had sent a letter to Mr. Davidson and Mayor McClellan indicating the group that would be effected by the proposed bus service.

MR. PATRICK JOHNSON, representing the South River City Citizens, spoke before the Council. In regards to the Riverside Drive Phase D/Newning-I.H. 35 project (CIP # 73/62/03), Mr. Johnson stated that they wanted the project description to include buffering on both sides of Riverside Drive. Mr. Johnson indicated that his organization endorsed the recommendation of the project (CIP # 75/86-45). They felt that \$400,000 should be used to purchase level, dry land adjacent to Woodward Street rather than drain an environmentally sensitive marsh area as originally proposed. In reference to the Land Acquisition project on Blunn Creek (CIP # 75/86-13), Mr. Johnson asked that money previously earmarked for this project be made available for this purpose. Lastly, Mr. Johnson indicated that they hoped improvements to the Twin Oaks Branch Library would be included in the CIP.

MR. BRUCE SCHUMATE, President Pro Tem of the McCarty Neighborhood Association, read the following letter before the Council:

"Mayor McClellan and members of the Council, my name is Bruce E. Schumate, and I am President Pro Tem of the McCarty Lane Neighborhood Association. I regret that our President is out of the state and not able to be here tonight, but he asked me to come and represent the neighborhood association. I live on McCarty Lane and many of our members are close to it, in fact are in what is

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known as the Beckett Estates which is being greatly effected by some of the changes that are proposed and some of the changes that have been made in our area. Part of this will be addressed to matters pertaining to William Cannon Drive. Others will be the new annexation plan in the area of Western Oaks and I want to read now something that our President prepared.

"The history of the developments in the southwest area of Oak Hill since 1975 is full of examples of the divide and concur strategy practiced by the Department of Urban Transportation and Planning in their effort to grease the skids for developers. In a surprise move on July the 3rd, 1975, the City Council declared an emergency and suspended the rule requiring three readings of ordinances and annexed five hundred and sixty-five acres of land in the area of McCarty Lane in Oak Hill at the request of J. W. Smith. This annexation was done leap-frog style with a cord connecting it to the City. To this day only a small fraction of this land has been platted and J. W. Smith's Western Oaks Phase I is in financial difficulty according to Homer Reed."

"I can read at this time and I would like to, a memo from Mr. Reed to Mr. Lillie, dated April the 26th.

'Memo to Dick Lillie, Planning Director, from Homer D. Reed, Deputy City Manager, Subject: The Village.

'J. W. Smith is looking for a way to get the Village approved before financial arrangements are made and trying to solve a cash flow problem. He does not need Phase II of Western Oaks completed for his purposes before proceeding with the Village. Is there any way we can help him?'

"In a surprise move on October the 12th, 1976, the Planning Commission held a Public Hearing on the realignment of William Cannon Drive, a six-lane arterial which had been on the Master Plan since 1961, as a southern leg of an outer loop. At the hearing residents of the effected area were told by Bill Bullock of Urban Transportation that his department had held a Public Hearing in Austin, Texas, in 1976, which led to the recommendation to scratch the loop idea and simply let William Cannon be an east-west arterial from near the "Y" in Oak Hill to IH 35, two miles south of Ben White Boulevard. None of the 47 residents in our neighborhood had been invited to the Urban Transportation Department hearing. The motivation of the realignment was a contract between the City and J. W. Smith to extend water to Western Oaks and to provide a major artillery passing by J. W.'s proposed shopping center in Western Oaks.

"The study does not support the realignment but is ultimately approved by the Planning Commission and the Council over the objections by area residents and the Planning Commissioner, Dean Rindy, who stated that the realignment would stimulate development and pressure for development in the area. This was denied by Lillie and Ternus. When approved by the City Council 13% of the new alignment was outside of the City limits and still is. An intersection with Highway 290 had not been discussed with District Director Travis Long of the State Highway Department though Bullock repudiatedly stated that they had worked closely with the State Highway Department, and finally the loop concept was casually abandoned. Residents objected that they do not foresee a need for a six-lane east-west access to now congested north-south arterials leading into the City.

"Now we have another chapter in this saga. J. W. Smith wants more land annexed to the west side of the emergency annexation which was done for his benefit in 1975. He wants it done because of the cash flow problem before financial arrangements are made for Phase II of Western Oaks. City Planning will probably recommend annexation to the Council or according to Mr. Lillie. The proposed subdivision is 83 acres, only 20 of which J. W. wants to develop now. This is an additional 199 acres bordering this on the south which has requested annexation, but this 199 acres has been severed from the present request. It will be brought up as soon as Council annexes the Village in Western Oaks. With part of the current annexation study as late as May 4th, 1977, Lillie said he would probably recommend annexation of the 83 acres without a fiscal study on the economic impact to the tax payers required by Article #6, Section 41-6, of the subdivision ordinance enacted August 1972. Lillie stated that it was City Manager's policy not to do the required study on residential subdivisions in annexation proceedings. Such a study was not done in the emergency annexation in 1975, because the land was unplatted at that time. Today only a small fraction of the 565 acres annexed for J. W. Smith in 1975 has had final platting approved, yet the City entered into a contract in August of 1976 to extend a 24 inch water main out to Western Oaks along the William Cannon right-of-way. Now Planning is preparing to recommend more annexation in the area for J. W. Smith knowing this will be followed by an additional annexation proceedings on the 199 acres adjacent to it without the fiscal study to determine whether this proportionate expense to the tax payer will result. According to subdivision ordinance this proportionate expense to the tax payer occurred when the taxes accruing from such annexed property the next year would be less than the additional cost providing the services.

"Now, on problems and solutions:

1. No fiscal study was done on the emergency annexation in 1975, and only 30% to 40% of that land has been platted or developed. These lands should be included in any new annexation fiscal study because the 24-inch water main to service these areas has not yet been built, and the low density of the development activity in the area since annexation may have already caused disproportionate expenses to the tax payers.
2. A requirement of over-size water lines down Beckett Lane and Convict Hill Road is being proposed by Public Works in anticipation of additional growth in the area. The 199 acres as mentioned before. The cost of 8-inch pipe is what J. W. Smith will be liable for under the current refund policy; the added cost of 12-inch pipe will be refunded to Smith out of the tax payer's pocket. NOTE: The contract that Smith has with the City gives him a sole control of 1,810 water taps and the 12-inch main down Beckett or Convict Hill Road will permit him to sell water taps to the developers of the 199 acres to be annexed next.
3. Mr. Lillie has informed me that he has no input or control over decisions made by Public Works to require over-size pipe and he does not know where they get their estimates of anticipated growth. Yet such decisions make it possible to extend services to developers without the controlled growth called for in the City of Austin Tomorrow Plan. In this case the decision is in violation of the north-south expansion concept. Control over over-size pipe requirements should be vested in Planning, not Public Works in order to implement Austin Tomorrow Goals.

4. The Fire Department cannot serve even Western Oaks Phase I, let alone a new subdivision. The nearest fire station is some seven miles away on the Manchaca Road and there are no fire plugs in the area. In the CIP no new fire stations are planned until 1979 or 1980, and that will be only a one-truck station at Slaughter and Brodie Lane still fairly remote from the proposed annexation.
5. The Police Department has lamented the remoteness of the entire area and said the response time would be slow. Cost to operate this service cannot be estimated without a population study in the area, says Chief Dyson.
6. Recognizing the problem, J. W. Smith asked the Oak Hill Fire Department, which is a volunteer organization, to service Western Oaks but was refused because he is not in their authorized service area.
7. The policy of the City Manager not to do fiscal studies on residential annexations appears to be a violation of Article 6 of the subdivision ordinance. Such studies are essential to any attempt on the part of the City to control growth and are consistent with the Austin Tomorrow Master Plan. The policy of the City Manager should not be allowed to violate the intent of the City ordinances. The Public Works Department's plan to tie a twelve-inch water line into an 8-inch water line in the McCarty Lane to service a proposed annexation will cause degradation of water pressure serving 47 homes which have been in the area over 15 years. This should not be allowed under any circumstances on a temporary basis as proposed. It will cause degradation of already marginal water pressure serving the 47 homes in view of the existing 8-inch main. The Planning Department should produce documents showing why the 199 acres was severed from the present request for annexation since May 4th, 1977. The current annexation is for the 82 acres only about 20 of which have been platted.

"The current annexation request is for 83 acres only about 20 of which has been platted. Will the proportionate expense to the tax payers result from this annexation, it seems very likely. What we would like for you to do is to delete this from the present CIP."

MR. BILL SNOW, representing the Austin Softball Association, spoke before the Council. Mr. Snow outlined a brief history of the softball programs in the City since 1969. He stated that there were currently 748 softball teams registered throughout Austin. Mr. Snow indicated that they approved of the CIP proposals pertaining to softball; however, there were several priorities which he brought to the attention of the Council. They were as follows:

1. The four field complex.
2. Upgrading lights at some of the fields.
3. The multi-purpose field
4. Butler Softball Field Improvement (CIP #75/86-25)
5. Bartholomew Park Improvement (CIP #75/86-47)

Mr. Snow requested that the Council move up funding on some of the projects. Councilmember Goodman asked if some of the projects could be paid for under the Parks and Recreation Department's operating budget. Mr. Jack Robinson, Director of PARD, indicated that maintenance of projects could be covered under the PARD budget but that construction of certain projects would have to be paid for out of the CIP. Councilmember Mullen asked Mr. Snow if he felt it was fair that the softball players themselves pick up part of the expense for softball facilities. Mr. Snow indicated that he could not answer that but felt that Austin tax payers had a right to expect recreational facilities to be provided by the City.

MR. PHIL SANDERS expressed his approval of the Pharr Tennis Center Improvements project (CIP #78/86-14). He felt that this center would help bring tennis and other athletic training to young persons in Austin who lacked facilities for personal athletic development.

MR. JOHN HARRIS, representing the South Austin Civic Club, spoke before the Council. Mr. Harris spoke in regards to sidewalks along West St. Elmo Road. He stated that this project was recommended moved back to the 1978-79 CIP by the Austin Planning Commission but felt that it should be put back on the current CIP. Councilmember Himmelblau indicated that she agreed with Mr. Harris and that the City Manager had recommended that this project be funded for this year. Mr. Harris also stated that his organization has gone on record as recommending the Barton Skyway Extension project.

MS. MILDRED DALRYMPLE, representing the Austin Women's Tennis Association, endorsed the proposals made previously by Mr. Phil Sanders. She indicated that there was a shortage of tennis facilities in Austin. Ms. Dalrymple requested that four tennis courts be added to the Pharr Tennis Center.

MS. PEGGY JOHNSON spoke in opposition to the Barton Skyway Extension project. She said that it would be impossible to get in and out of her driveway if there is any more traffic coming through her neighborhood.

MS. JANET STOCKARD, a member of the Parks and Recreation Board, spoke in opposition to the Barton Skyway Extension project. Ms. Stockard was concerned that the extension would be detrimental to the greenbelt adjacent to Town Lake. She stated that the project would make the area very unsafe for school children. Ms. Stockard suggested that the extension be routed in such a way as to not interfere with the greenbelt area.

MS. KAY SANDERS told the Council that the extension of the Barton Skyway would be very convenient for her. However, she stated that her personal convenience did not overshadow the fact that the extension would be very detrimental to the entire neighborhood. She recommended that the project be left out of the CIP.

MS. MARY CAMPBELL told the Council that she was opposed to the Barton Skyway Extension project. Ms. Campbell read from a speech which her husband, MR. PHIL CAMPBELL, gave before the City Planning Commission. In the speech, Mr. Campbell stated the MoPac extension would cause numerous traffic and safety hazards in the Barton Hills area. He stated that the Barton Skyway is not designed to carry arterial traffic and that it would be highly unlikely that

the street could be modified to serve this purpose. Mr. Campbell pointed out that the minimum recommended width for a main arterial street is 48 feet and that the CIP proposal for Barton Skyway specifies only 44 feet in width. He stated that the street could be expected to accommodate 10,000 cars per 24 hour period if the extension is completed. Mr. Campbell indicated that the increased traffic along Barton Skyway would be only one block away from the school. He stated that the area would be subjected to increased noise and air pollution if the extension is completed.

MS. ISABEL HUERTA, member of the South Austin Advisory Board, spoke before the Council. She told the Council that there were several projects which they hoped could proceed at a faster pace. The projects were as follows:

1. The Ricky Guerrero wading pool project.
2. Gillis Park diving well project.
3. The Stassney Lane widening project.
4. South 1st Street/Oltorf Street signalization.

Ms. Huerta told the Council that their main concerns were sidewalks, bus shelters and traffic signals. The recommendations for sidewalks were as follows:

1. West Monroe from South Congress to Becker Elementary School.
2. West Oltorf Street from South 1st Street to South 5th Street.
3. West Mary Street from South Congress to South 5th Street.
4. South Congress from Leland Street to East Johanna Street.

The recommendations for bus shelters were as follows:

1. Intersection of Raywood and Lock Lane.
2. 2300 block of South 5th Street near Meadowbrook Street.
3. South 1st Street and Oltorf Street.
4. South 1st Street and West Monroe Street.

The recommendations for traffic signalization were as follows:

1. A protected left-turn signal at the intersection of South 1st Street and Oltorf Street.

Ms. Huerta stated that the project requests were not listed by priorities as each project was very important.

MRS. DOROTHY SANDERS stated that persons living to the east of the Barton Skyway would benefit greatly from the MoPac/Barton Skyway extension. However, she felt that a little inconvenience was better than the deterioration that would occur from the Barton Skyway extension. She recommended that Barton Skyway be left the way it is.

MR. JERRY BAUGH spoke in opposition to the Barton Skyway Extension project. Mr. Baugh pointed out that whereas the City Manager had endorsed the recommendation of the Planning Commission to not fund the program at this time, he did indicate that he felt that Barton Skyway extension would eventually be needed. Mr. Baugh requested Mr. Davidson to address why he favored the project. Mr. Davidson stated that the purpose of the hearing was to hear from the community only and that he would address the CIP before the Council's considerations were completed.

MR. ROBERT J. McDONALD spoke before the Council in support of the Barton Skyway extension project. Mr. McDonald stated that changes in the area would be inevitable. He felt that the extension would be necessary to accommodate growth in the area. Mr. McDonald indicated that the widening of Robert E. Lee Road would be a worse solution than the Barton Skyway Extension. He cited the following environmental objections to widening Robert E. Lee road:

1. Widening the road would necessitate cantilevering over Barton Creek or cutting away a major portion of a hill side.
2. Widening the road would increase the amount of run off in the area.
3. Widening the road would require taking up heavily used park land.
4. Widening the road would create an inverted funnel, having a wide inflow and a narrow outflow for traffic.

Mr. McDonald concluded by stating that the project should start as soon as possible.

MS. PAT OATES stated that the extension of Barton Skyway would make the area very hazardous for children. She also agreed with the previous speaker that Robert E. Lee Road should not be widened. Ms. Oates felt that the area should be left alone.

MR. RONALD ANDREWS spoke in favor of the Barton Skyway Extension project. Mr. Andrews stated that with the widening of Robert E. Lee Road, the City would lose several baseball fields and the south entrance to Barton Springs swimming pool.

MS. THERESA SCHIEB, an Austin High School student, spoke before the Council in favor of the Barton Skyway Extension project.

MS. FRANCES DUDLEY spoke in behalf of Dr. James J. Jeffery, Assistant Superintendent of the Austin Independent School District. She indicated that the A.I.S.D. continued its support of the Barton Skyway Extension project.

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MR. RICH ELMER spoke in support of the Barton Skyway Extension project. He felt that the extension would reduce the amount of traffic currently routing through other streets in the area.

MS. NAN CLAYTON spoke in opposition to the Barton Skyway Extension project. She indicated that the Planning Commission, the Environmental Board, and the Urban Transportation Commission were against the bridge. Ms. Clayton presented the Council with the results of a traffic survey she conducted in the area.

MS. BETH SYBESTA pointed out that there were 7,000 vehicles using Barton Hills Drive every day and that this figure was twice the number of people living in that area. She felt that it would be best to await the completion of the Barton Creek watershed study before any construction is begun. Ms. Sybesta indicated that the neighborhood was opposed to the widening of Robert E. Lee Road. She stated that the widening of Ben White Boulevard at South Congress Avenue would be most helpful. Ms. Sybesta felt that the cost of the Barton Skyway Extension was disproportionate with the number of persons that live in the effected areas.

MS. JANE FAGAN, a realtor, spoke before the Council. She stated that she was in favor of the Barton Skyway Extension.

MR. DON SMITH showed the Council a slide presentation of the traffic situation in the Barton Hills Drive area. He stated that south Austin had a need for access to the MoPac Expressway. Mr. Smith requested that the Council include funding in the second year for the design and engineering of the Barton Skyway Extension project.

MS. KATHERINE PUCKETT spoke against the Barton Skyway Extension project. She asked how long it would be until MoPac was completed to Loop 360. Mr. Davidson answered at least 3 to 3-1/2 years. She felt that important environmental resources would be wasted if the extension were built.

MR. EARL KANATSKY spoke in favor of the Barton Skyway Extension project. He felt that it would greatly alleviate the traffic problems in the neighborhoods.

ADJOURNMENT

The Council then adjourned at 11:00 p.m.

ATTEST:

Grace Monroe
City Clerk

APPROVED

Charles Keeton McElwain
Mayor